



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,184	01/21/2004	Kia Silverbrook	RRA29US	3300

24011 7590 11/02/2005

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

GARCIA JR, RENE

ART UNIT PAPER NUMBER

2853

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,184

Applicant(s)

SILVERBROOK, KIA

Examiner

Rene Garcia, Jr.

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8 November 2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to because Figure 7 identifies to parts as 43E, perhaps one should be 43C. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Figure 7 Reference 43C. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if

Art Unit: 2853

only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: Page 9 line 7 makes reference to silicon wafer substrate "801", perhaps mean "8015".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Komplin et al. (US 6,199,977).

Komplin et al. disclose the following claimed limitations:

*regarding claim 1, printing fluid dispenser/**ink cartridges**, 12/ system comprising a number of printing fluid dispensers each including: (fig. 2; col. 2, line 67)

*one of a number of printing fluids/**ink**/ (col. 6, lines 38-39)

*feature/**keying member, 50/** (fig. 5) configured to locate the dispenser at predetermined location upon an inkjet printer component/**cartridge body, 10 and printheads, 14/** to be refilled (fig. 1; col. 6, lines 42-51; cartridge body has the printheads 14 attached to it therefore refilling ink to printheads)

*outlet/**boss, 30/** (fig. 1) located at one of a number of predetermined positions relative to the feature depending upon the type of printing fluid/**ink/** within said dispenser/**ink cartridges, 12/** (figs. 1 and 2)

*regarding claim 2, inkjet printer component/**cartridge body, 10 & printheads 14/** is a removable inkjet printer cartridge (col. 3, line 1: ink jet printheads/14 can be semi-permanent)

*regarding claim 4, feature/**keying member, 50/** configured to locate the dispenser/**ink cartridges, 12/** at a predetermined location/**ink cartridge slots: 140, 138, 136, 134/** (fig 5) comprises a connector/**boss, 30/** arranged to mate with a refill port/**needle, 24 & needle valve seal assembly, 26/** (fig. 1; col. 3, lines 18-22) of the inkjet printer component (fig. 1 & 3b;

*regarding claim 5, number of predetermined positions/**ink cartridge slots: 140, 138, 136, 134/** (fig 5) of the outlet/**boss, 30/** lie within a region defined by the connector (fig. 5)

*regarding claim 6, comprising a number of printing fluid dispensers/**ink cartridges, 12/** wherein the number of printing fluids/**ink/** include a range of inks colored to facilitate color printing (col. 6, lines 38-44)

*regarding claim 7, printing fluid dispenser/**ink cartridges, 12/** system comprising a number of printing fluid dispensers each including: (fig. 2; col. 2, line 67)

*colored ink (col. 6, lines 38-44)

*connector/**boss, 30/** (fig. 1) arranged to mate with a refill port/**needle, 24 & needle valve seal assembly, 26/** (fig. 1; col. 3, lines 18-22) of an inkjet printer cartridge/**cartridge body, 10/** to be refilled (fig. 1; col. 6, lines 42-51; cartridge body has the printheads 14 attached to it therefore refilling ink to printheads), the refill port including a number of discretely positioned inlets/**ink cartridge slots: 140, 138, 136, 134/** (fig 5)

*outlet/**boss, 10/** positioned to mate with one of the discretely positioned inlet ports/**ink cartridge slots: 140, 138, 136, 134/** (fig 5) depending upon the color of the colored ink (col. 6, lines 42-51)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Waller et al. (US 6,250,738).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 3, removable inkjet printer cartridge includes a pagewidth printhead

Waller et al. disclose the following:

Art Unit: 2853

*regarding claim 3, removable inkjet printer cartridge includes a pagewidth printhead/**page-wide-array printhead**/ (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a removable inkjet printer cartridge includes a pagewidth printhead as taught by Waller et al. into Komplin et al. for the purpose of printing one or more lines at a time.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lattuca et al. (US 2001/0048453) disclose an ink cartridge body with replaceable (refill) cartridges to mate in a complimentary manner to respective cartridges.

Art Unit: 2853

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Rene Garcia Jr
27 October 2005


K. FEGGINS
PRIMARY EXAMINER